

Panaji, 12th December, 1991 (Agrahayana 21, 1913)

SERIES I No. 37

OFFICIAL GAZETTE

GOVERNMENT OF GOA

NOTE: — There is one Extraordinary issue to the Official Gazette, Series I No. 36 dated 5-12-1991, with the date 9-12-91 from pg. 413 to 414 regarding Notification from Transport Department.

GOVERNMENT OF GOA

Public Works Department

Notification

CE/PWD/16/91-PWD&UD

Sanction of the Government is hereby accorded for implementation of the scheme (revised) to provide Pour Flush Water Seal Latrines to individual house on contribution basis in Rural and Urban Areas of Goa.

In order to extend benefit from this scheme to larger section of the population, it is proposed that with effect from the Financial Year 1991-92 contribution will be obtained from the *approved beneficiaries* also. For this purpose, beneficiaries have been grouped incomewise and the contribution to be made by them is indicated below:

Income Group	Contribution
a) Income limited upto Rs. 8,400/- p.a	Nil
b) Low Income Group	
Annual Income from Rs. 8,401/- to Rs. 18,000/-	25% of the cost
c) Middle Income Group	
Annual Income from Rs. 18,001/- to Rs. 30,000/-	50% of the cost

Procedure of implementation

1. The agency to undertake this scheme will be fixed by the Public Works Department from time to time.
2. In addition to the financial contribution the approved beneficiaries will have to make land available for construction of the latrines and also shall give full co-operation for construction of latrines by the agency fixed by the Public Works Department.
3. The approved beneficiaries have to submit simple application to the concerned S.D.O. (A.E.), P.H.E., P.W.D., alongwith the Income Certificate. This Income Certificate shall be from the competent Revenue Authority prescribed to issue such certificates under the rules of Government from time to time.

4. After verifying the Income Certificate produced by the Beneficiaries, the concerned Sub-Divisional Officer will prepare a Challan for making payment in the Government Treasury under Budget Head "0215 — Water Supply and Sanitation; 02-Sewerage and Sanitation, 800—Other Receipts".

The construction of Pour Flush Latrines will be undertaken through the Agency fixed by the P.W.D. only after receiving the Challan showing necessary payment is made by the approved beneficiaries.

By order and in the name of the Governor of Goa.

B. N. Bhat, Under Secretary to the Government of Goa (P. W. D.).

Panaji, 4th December, 1991.

Public Works Department

Notification

HS-8-9-68-1

Whereas certain draft rules to amend the Goa, Daman and Diu Housing Board Rules, 1969 were published as required by sub-section (1) of section 128 of the Goa, Daman and Diu Housing Board Act, 1968 (Act 12 of 1968), at page 360 of the Official Gazette, Series I, No. 28, dated 10-10-1991, under Notification No. HS-8-9-68-1, dated 30-9-1991 of the Department of Urban Development, Government of Goa, inviting objections and suggestions from all persons likely to be affected thereby before the expiry of fifteen days from the date of publication of the said Notification in the Official Gazette:

And whereas the said Gazette was made available to the public on 10-10-1991;

And whereas no objections and suggestions have been received from the public on the said draft by the Government.

Now, therefore, in exercise of the powers conferred by section 128 of the Goa, Daman and Diu Housing Board Act, 1968 (Act 12 of 1968), the Government of Goa hereby makes the following rules so as to amend the Goa, Daman and Diu Housing Board Rules, 1969, namely:

1. *Short title and commencement.*— (1) These rules may be called the Goa Housing Board (Amendment) Rules, 1991.

(2) They shall come into force at once.

2. Amendment of Form H. — In Form H appended to the Goa, Daman and Diu Housing Board Rules, 1969, in item C relating to "Provision for depreciation and other Reserve funds" under the heading "Revenue Account for the year 19... 19...", after entry (iii), the following entry shall be inserted, namely:—

"(iv) Reserve for Doubtful Debts".

By order and in the name of the Governor of Goa.

B. N. Bhat, Under Secretary to the Govt. of Goa (UD).

Panaji, 15th November, 1991.

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Law (Legal and Legislative Affairs) Department

Notification

10-6-90/LA

The Representation of the People (Amendment) Act, 1991 (Central Act 31 of 1991) which was passed by Parliament and assented to by the President of India on 14-8-1991 and published in the Gazette of India, Extraordinary, Part II, Section I, dated 16-8-1991, is hereby published for general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 28th November, 1991.

The Representation of the People (Amendment) Act, 1991

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further to amend the Representation of the People Act, 1951.

Be it enacted by Parliament in the Forty-second Year of the Republic of India as follows:—

1. Short title and commencement. — (1) This Act may be called the Representation of the People (Amendment) Act, 1991.

(2) It shall be deemed to have come into force on the 18th day of April, 1991.

2. Substitution of new section for sections 73A and 73AA. — In the Representation of the People Act, 1951 (hereinafter referred to as the principal Act), for sections 73A and 73AA, the following section shall be substituted, namely:—

"73A. Special provision as to certain elections. — Notwithstanding anything contained in section 73 or in any other provision of this Act, with respect to the general election for the purpose of constit-

43 of 1951.

tuting a new House of the People upon dissolution of the Ninth House of the People,—

(a) the notification under section 73 may be issued without taking into account the Parliamentary constituencies in the State of Jammu and Kashmir; and

(b) the Election Commission may take the steps in relation to elections from the Parliamentary constituencies in the State of Jammu and Kashmir separately and in such manner and on such date or dates as it may deem appropriate.".

3. Repeal and saving. — (1) The Representation of the People (Amendment) Ord. 2 of Ordinance, 1991, is hereby repealed.

1991.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

Notification

10-6-90/LA

The Terrorist and Disruptive Activities (Prevention) Amendment Act, 1991 (Central Act 35 of 1991) which was passed by Parliament and assented to by the President of India on 16-8-1991 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 16-8-1991, is hereby published for general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 4th December, 1991.

The Terrorist and Disruptive Activities (Prevention) Amendment Act, 1991

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further to amend the Terrorist and Disruptive Activities (Prevention) Act, 1987.

Be it enacted by Parliament in the Forty-second Year of the Republic of India as follows:—

1. Short title and commencement. — (1) This Act may be called the Terrorist and Disruptive Activities (Prevention) Amendment Act, 1991.

(2) It shall be deemed to have come into force on the 2nd day of May, 1991.

2. Amendment of section 1 of Act 28 of 1987. — In the Terrorist and Disruptive Activities (Prevention) Act, 1987 (hereinafter referred to as the principal Act), in section 1, sub-section (4), for the words "four years", the words "six years" shall be substituted.

3. *Repeal and saving.* — (1) The Terrorist and Disruptive Activities (Prevention) Amendment Ordinance, 1991, is hereby repealed.

Ord. 5
of 1991.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

Notification

10-6-90/LA

The Constitution (Scheduled Tribes) Order (Amendment) Act, 1991 (Central Act 36 of 1991) which was passed by Parliament and assented to by the President of India on 20-8-1991 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 20-8-1991, is hereby published for general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 4th December, 1991.

The Constitution (Scheduled Tribes) Order, (Amendment) Act, 1991

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to provide for the inclusion of certain tribes in the list of Scheduled Tribes specified in relation to the State of Jammu and Kashmir.

Be it enacted by Parliament in the Forty-second Year of the Republic of India as follows: —

1. *Short title and commencement.* — (1) This Act may be called the Constitution (Scheduled Tribes) Order (Amendment) Act, 1991.

(2) The provisions of clause (b) of section 2 and section 3 shall come into force at once, and the remaining provisions of this Act, shall be deemed to have come into force on the 19th day of April, 1991.

2. *Amendment of the Constitution (Jammu and Kashmir) Scheduled Tribes Order, 1989.* — In the Schedule to the Constitution (Jammu and Kashmir) Scheduled Tribes Order, 1989 (hereinafter referred to as the Jammu and Kashmir Order), —

(a) after item 8, the following items shall be added, namely: —

“9. Gujjar
10. Bakarwal”;

(b) after item 10 as so added, the following items shall be added, namely: —

“11. Gaddi
12. Sippi”.

3. *Repeal and saving in relation to amendment to Constitution Order 22.* — The Constitution (Scheduled Tribes) Orders (Amendment) Ordinance, 1991, in so far as it relates to the amendment

to the Constitution (Scheduled Tribes) Order, 1950, except as respect things done or omitted to be done before the commencement of the provisions of this section, is hereby repealed.

4. Repeal and saving in relation to amendment to Constitution Order 142. —

The Constitution (Scheduled Tribes) Orders (Amendment) Ordinance, 1991, in so far as it relates to the amendment to the Jammu and Kashmir Order, is hereby repealed.

Ord. 3
of 1991.

(2) Notwithstanding such repeal, anything done or any action taken under the Jammu and Kashmir Order, as amended by the said Ordinance, shall be deemed to have been done or taken under the Jammu and Kashmir Order, as amended by this Act.

Notification

10-6-90/LA

The Consumer Protection (Amendment) Act, 1991 (Central Act 34 of 1991) which was passed by Parliament and assented to by the President of India on 16-8-1991 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 16-8-1991, is hereby published for general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 4th December, 1991.

The Consumer Protection (Amendment) Act, 1991

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to amend the Consumer Protection Act, 1986.

Be it enacted by Parliament in the Forty-second Year of the Republic of India as follows: —

1. *Short title and commencement.* — (1) This Act may be called the Consumer Protection (Amendment) Act, 1991.

(2) It shall be deemed to have come into force on the 15th day of June, 1991.

2. *Amendment of section 14.* — In section 14 of the Consumer Protection Act, 1986 (hereinafter referred to as the principal Act), for sub-section (2), the following sub-sections shall be substituted, namely: —

68 of 1986.

“(2) Every proceeding referred to in sub-section (1) shall be conducted by the President of the District Forum and at least one member thereof sitting together:

Provided that where the member, for any reason, is unable to conduct the proceeding till it is completed, the President and the other member shall conduct such proceeding *de novo*.

(2A) Every order made by the District Forum under sub-section (1) shall be signed by its Pre-

sident and the member or members who conducted the proceeding:

Provided that where the proceeding is conducted by the President and one member and they differ on any point or points, they shall state the point or points on which they differ and refer the same to the other member for hearing on such point or points and the opinion of the majority shall be the order of the District Forum.”.

3. *Insertion of new section 18A.* — After section 18 of the principal Act, the following section shall be inserted, namely: —

“18A. *Vacancy in the office of the President.* — When the office of the President of the District Forum or of the State Commission, as the case may be, is vacant or when any such President is, by reason of absence or otherwise, unable to perform the duties of his office, the duties of the office shall be performed by such person, who is qualified to be appointed President of the District Forum or, as the case may be, of the State Commission, as the State Government may appoint for the purpose.”.

4. *Insertion of new section 29A.* — After section 29 of the principal Act, the following section shall be inserted, namely: —

“29A. *Vacancies or defects in appointment not to invalidate orders.* — No act or proceeding of

the District Forum, the State Commission or the National Commission shall be invalid by reason only of the existence of any vacancy amongst its members or any defect in the constitution thereof.”.

5. *Validation of certain orders, etc.* — Notwithstanding anything contained in any law or any judgment, decree or order of any court, tribunal or other authority, any order made by the District Forum or the State Commission under the principal Act, which would have been validly made if the amendments made to the principal Act by this Act were in force on the date of such order, shall be deemed to have been validly made as if the amendments made to the principal Act by this Act were in force at all material times when such order was made.

6. *Repeal and saving.* — (1) The Consumer Protection (Amendment) Ordinance, 1991, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act as amended by this Act.

Ord. 6
of 1991.